In the High Court of Judicature at Madras

Dated: 11.04.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM

and

The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.14526 of 2006

1.Chinnai Yellamanda Chetty Anjaneyalu
Chetty Charities, rep. by its
Managing Trustee C.Nagarajan,
No.156, Rassappa Chetty Street,
Chennai-600 001.
2.C.Subang
3.Sindhuri
4.C.Sadvi
5.A.Swarupini
6.N.Sugandhi
7.S.Nagamani
8.N.Manjari
9.C.Chandan
all rep. By their Power of Attorney
Agent Mehul H.Doshi. .. Petitioners

..vs..

1. The State of Tamil Nadu,
rep. by the Commissioner and
Secretary to Government,
Housing & Urban Development Department,
Fort St.George, Chennai-600 009.

2. The Member Secretary,
Chennai Metropolitan
Development Authority,
Thalamuthu Natarajan Building,
8, Gandhi Irwin Road,
Chennai-600 008.

3.The Managing Director,
Chennai Metropolitan Water Supply
& Sewerage Board,
Chennai-2. .. Respondents

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Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus to call for the records of the second respondent in its letter dated 09.05.2006 bearing No.BC1/14256/2005 and quash the said proceedings so far as it imposes the condition to remit a sum of Rs.4,20,000/- as security deposit and Rs.5,37,000/- as Water supply & Sewerage Infrastructure Improvement charges as condition precedent for the issuance of planning permission for the proposed construction of 2 blocks of Stilt + 4 floors, residential buildings with 64 dwelling units at old No.72, New No.95, Mc Nichols Road, Chetpet, Chennai-31 in R.S.No.381/1, 381/5 and 381/6, Block No.24 of Egmore Village and consequently, direct the second respondent to grant planning permission without insisting on the payment of the same.

For Petitioner : Mr. A.R.Karunakaran
For 2nd Respondent : Mr.J.Ravindran
For respondents 1 & 3 : Mr.K.Elango,
Spl. Govt. Pleader

ORDER

(Order of the Court was made by P.SATHASIVAM,J.)

Learned counsel for the petitioner seeks permission to withdraw the above writ petition. He also made an endorsement to that effect in the writ petition.

2. Accordingly, permission is granted and the writ petition is dismissed as withdrawn. However, it is made clear that the petitioner is free to challenge the provisions contained in Rule 19(b)(III)-(B) of the Development Control Rules, if need arises, at the appropriate time. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

1. The Commissioner and
   Secretary to Government,
   State of Tamil Nadu,
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   Fort St.George, Chennai-600 009.

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